

EXHIBIT 4

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

VANDER MILL BREWING CO., a Michigan Corporation, MICHIGAN CIDER ASSOCIATION, a Michigan Nonprofit Corporation, FARMHAUS CIDER CO., a Michigan Corporation and VANDER MILL, LLC, a Michigan Limited Liability Company,

Honorable:

Case No:

Plaintiffs,

v

AFFIDAVIT OF PAUL VANDER HEIDE

MICHIGAN LIQUOR CONTROL COMMISSION, ANDREW J. DELONEY, Chairman, in his official Capacity; KURT COX Grand Rapids District Supervisor, in his official capacity and JON REEDER, Regulation Agent and Investigator, in his official capacity,

Defendants.

MILLER, CANFIELD, PADDOCK AND STONE, PLC
Joseph M. Infante (P68719)
Christopher J. Gartman (P83286)
99 Monroe Avenue NW, Suite 1200
Grand Rapids, MI 49503
(616) 776-6333
infante@millercanfield.com

AFFIDAVIT OF PAUL VANDER HEIDE

STATE OF MICHIGAN)
) SS.
COUNTY OF Kent)

Paul Vander Heide, being first duly sworn, deposes and says as follows:

1. I have firsthand knowledge of the facts contained herein, am competent to testify as to these facts and will do so if called as a witness.
2. I am the founding owner of Vander Mill, LLC (hereinafter "Vander Mill").

3. Vander Mill actively sends federally bonded cider to other Michigan Wine Makers and Small Wine Makers.
4. MLCC Enforcement Agents have requested Vander Mill's historic records showing other Michigan Wine Makers and Small Wine Makers that it has sent bonded cider to.
5. This has had a chilling effect on Vander Mill's ability to conduct bonded wine transfers because potential recipients are apprehensive about being on a list and targeted by MLCC.
6. As a result, Vander Mill has lost sales, and thus lost revenue, as some of our customers for bonded cider no longer buy from Vander Mill.
7. When MLCC confiscated Greenbush's wine inventory, it also confiscated kegs that are property of Vander Mill.
8. MLCC has not alleged that Vander Mill engaged in any wrongful conduct.

Further affiant sayeth not.



Paul Vander Heide

Subscribed and sworn to before me this 11 day of July 2019.



JANEL MULLEN
Notary Public
County of Kent, Michigan
My Commission Expires: 3/28/2022
Acting in Kent County, Michigan

33982668.2\156050-00001

